



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/883,817

06/18/2001

Jens Barrenschenn

GR 00 P 12246

2567

24131

7590

05/15/2006

LERNER GREENBERG STEMER LLP

P O BOX 2480

HOLLYWOOD, FL 33022-2480

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notification of Non-Compliant Appeal Brief (37 CFR 41.37)	Application No. 09/883,817	Applicant(s) BARRENSCHEEN ET AL.	
	Examiner Clifford H. Knoll	Art Unit 2112	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 24 February 2006 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.
EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☒ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

attached.

Defective Appeal Brief

The Appeal Brief filed 2/24/06 is defective for failure to comply with the provisions of 37 CFR 41.37(c)(1)(v), "Summary of Claimed Subject Matter".

The instant Summary of Claimed Subject Matter is merely a recapitulation of the specification. Sections of the specification are quoted broadly without a concise explanation that links all features of the independent claims with relevant passages of the specification.

A supplemental appeal brief in compliance with 37 CFR § 41.37 is required. For more information on the Board's new rules see the web page entitled More Information on the Rules of Practice Before the BPAI, Final Rule at:

<http://www.uspto.gov/web/offices/dcom/bpai/fr2004/moreinfo.html>.

The following is a demonstrative example of a properly drafted Summary of Claimed Subject Matter:

Claim 1 recites an apparatus with a non-volatile memory that contains bus numbering information (Figure 6, 622) for a bus located within a first apparatus (Figure 6, 620) and bus numbering information (Figure 6, 632) for a bus located in a second apparatus (Figure 6, 630).

Claim 4 recites a computer system with a first physical enclosure (Figure 6, 620) and a second physical enclosure (Figure 6, 630) that includes a non-volatile memory (Figure 6, 632) that contains bus numbering information for buses located within the first and second physical enclosures (Figure 6, contents of 632), and a bus number manager that detects a change in configuration of the computer system (page 16, lines 19-25) and reads the bus numbering information from the non-volatile memory to determine an appropriate bus number (page 111, lines 16-25).

Claim 7 recites a computer systems with multiple physical enclosures (Figure 6, 110, 620, 630). The first physical enclosure (Figure 6, 110) includes a bus number mask (Figure 6, contents of 112) that indicates bus numbers in use

Art Unit: 2112

in the computer system. The second and third physical enclosures (Figure 6, 620, 630) have at least one numbered bus and a non-volatile memory that has bus numbering information for the local enclosure and bus numbering information for another enclosure (Figure 6, 622, 632), and a bus number manager that detects a change in configuration of the computer system (page 16, lines 19-25) and reads the bus numbering information from the non-volatile memory to determine an appropriate bus number (page 11, lines 16-25).

Claim 9 recites a computer implemented method (Figure 8, 800) that includes assigning bus numbers for buses in multiple physical enclosures (Figure 6, 622, 632) and then storing bus numbers in a non-volatile memory in the enclosures (Figure 8, 860)"

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clifford H. Knoll whose telephone number is 571-272-3636. The examiner can normally be reached on M-F 0630-1500.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on 571-272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2112

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

chk


REHANA PERVEEN
SUPERVISORY PATENT EXAMINER
5/12/06